

the objects including account objects, transaction objects, category objects, and template objects.

### REMARKS

The applicant thanks the Office for the careful consideration given the application in the communication. Claims 1, 18, and 34 have been amended to further distinguish the claimed invention. The Applicant believes that the claims, as amended define over the references cited in the Office communication of October 30, 2001. The cited references neither structurally nor more generally, suggest the claimed subject matter of Applicants' claimed invention. Applicants hereby request examination and reconsideration of the application, in view of the foregoing amendments and the following discussion.

Claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 stand rejected by the Office under 35 U.S.C. § 103 (a) as being anticipated by Maggioncalda et al. (U.S. Patent No. 5,918,217). Claims 3, 5-8, and 20 stand rejected under 35 U.S.C. 103(a) as unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Leon et al. (U.S. Patent No. 6,052,673) and further in view of Minton (U.S. Patent No. 6,014,643). Claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Minton (U.S. Patent No. 6,014,643).

### *SUMMARY OF INVENTION*

Applicant's invention is a personal financial budgeting and planning software program designed to run on a stand-alone personal computer that does not require network connections to servers or external databases. The invention provides a graphical user interface to enable a user to easily create accounts, categories and transactions. It enables a user to plan, budget, track and compare actual and projected personal expenditures and income over an extended period of time. The software program is based on object-oriented principles and makes extensive use of graphical objects that provide many user benefits over conventional programming techniques, including ease of use, reusability and flexibility. This object-oriented approach enables a user of the present invention to easily define new instances of an existing class, such as new checking accounts or new categories of expenses, without creating new software sequences from scratch.

The present disclosed invention includes a graphical user interface that provides control and display of data associated with system tools. The system tools comprise a planning analysis tool, a current activity tool, and a budgeting analysis tool. The planning analysis tool enables a user to graphically plan, budget and model future financial activity, such as purchasing a new automobile in three months, planning a vacation trip next year, or buying a house in five years. The current activity tool enables a user to enter past and current financial transactions, similar to entering transactions into a checkbook register, such as payment of utilities bill from a checking account. The budgeting analysis tool enables a user to compare current activity tool financial activity with planning analysis tool financial activity, and compare discrepancies between them. In addition, a to-do list enables the planning analysis tool to prompt the user when a planned financial activity is due. A financial activity simulator is also provided to model financial activity associated with the planning analysis tool.

Applicant's invention uses the system tools described above to track cash flows between objects of an accounts class, a categories class, a transactions class and a template class. A transaction object may represent a purchase of an item belonging to a category object, such as clothing, paid from an account object, such as checking. Account objects may represent accumulations or depletions of cash flows, and category objects may represent accumulations of cash flows. Transaction objects may represent movement of cash flows into and out of one or more category objects and account objects, and are the only active objects. Transaction objects may also represent an account/account association, an account/transaction association or a category/transaction association. Template objects allow one or more account objects, category objects and transaction objects to be logically grouped together for simplifying the graphical representation of financial activity and creation of common financial actions.

As an example of how the present invention may be used, using the graphical user interface, a user first initializes the system by entering system default values, such as inflation rate, return on investment, life expectancy, current age of user, retirement age of user, and reference currency. The user may then use the current activity tool to create bank accounts and expense categories, and then enter current and past transactions representing cash flows between the bank accounts and categories. The user may also create spending activity templates, such as a monthly expenditure on clothing. It should be noted that these user activities constitute the creation of objects from default object classes. In a similar fashion, the user may use the planning

analysis tool to enter any new accounts, categories, transactions and templates required in the future, and create budgeted or projected expenditures in the future. The user may utilize the budget analysis tool to compare current financial activities with projected future financial activities, with highlighted excesses or shortfalls. The user is provided with graphical means to correct any deficiencies. The invention binds current spending and budgeting with future spending and budgeting by comparing actual financial activity to modeled financial activity, extending the model into the future.

### ***ISSUES***

The following issues are presented:

Issue 1: Whether Claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 are obvious under 35 U.S.C. § 103 (a) as being anticipated by Maggioncalda et al. (U.S. Patent No. 5,918,217);

Issue 2: Whether Claims 3, 5-8, and 20 are obvious under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Leon et al. (U.S. Patent No. 6,052,673) and further in view of Minton (U.S. Patent No. 6,014,643); and

Issue 3: Whether Claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 are obvious under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Minton (U.S. Patent No. 6,014,643).

### ***ARGUMENTS***

#### **General Discussion of the Lack of Establishment of a *Prima Facie* Case of**

#### **Obviousness Applicable to All Claim Rejections under 35 U.S.C. Section 103(a)**

The Office bears the initial burden of establishing a *prima facie* case of obviousness. See *In re Piasecki*, 223 USPQ785, 788 (Fed. Cir. 1984). *If the examination of a patent application at the initial stage does not produce a prima facie case of unpatentability, then without more the applicant is entitled to grant of the patent.* See *In re Oetiker*, 24 U.S.P.Q. 2d 1443 (Fed Cir. 1992). As more fully set forth below, the Office has failed to meet its burden of establishing a

*prima facie* case of obviousness under 35 U.S.C. 103 (a) with regard to the rejection of claims 1-42. Therefore, these claims are patentable.

There are many distinguishing differences between Applicant's invention and the references of Maggioncalda, Minton and Leon cited by the Office. As described and claimed in Applicant's specification, the present invention claims a personal financial management software program for recording, predicting, and comparing financial data comprising a graphical user interface, a current activity tool, a planning analysis tool and a budgeting analysis tool. The financial data includes account class objects, transaction class objects, category class objects and template class objects. Maggioncalda discloses a financial analysis system for exploring how variables of risk, savings and retirement age affect a recommended set of financial investment products. The user of the Maggioncalda invention enters values representing risk, savings rate, and retirement age to obtain a displayed set of financial investment products that were selected by the system, along with an estimated forecast of success as determined by the system. Minton discloses a method for trading securities between individuals through offers, acceptances, and execution of trades over a public communication network. Leon discloses a method of managing deposit and loan accounts within a financial institution by adjusting the amount in each deposit and loan account as a function of inflation, and transferring payments accordingly. None of these references cited by the Office suggest or disclose the elements of Applicant's claimed invention.

A further distinction between the Applicant's invention and the prior art of Maggioncalda and Minton cited by the Office is that the cited references operate on a network connected to servers while the Applicant's invention operates on a network independent and server independent, host-based computer. Furthermore, the cited reference of Leon is a commercial software program used by large financial institutions, not a personal financial management software program tailored to an individual user.

Another distinction between Applicant's invention and the Maggioncalda disclosure is that Maggioncalda relies on statistics and probability distributions to achieve a result. The only disclosed result in Maggioncalda is a selection of financial investment products and an estimated probability of success of a user achieving a financial goal. There is no such predictive capability disclosed in the present invention, which merely relies on comparisons of actual performance with user a user-determined projection of future activity, which is not disclosed in Maggioncalda. There is no disclosure in Maggioncalda of past, current and future user-

determined cash flow simulations between accounts and categories through the use of transactions.

In an obviousness analysis, any suggestion to combine references must not require substantial reconstruction or redesign of the references to arrive at the claimed invention. Applicant disputes that the Office has shown a suggestion or reason to combine. Moreover, even if Maggioncalda, Minton and Leon references cited by the Examiner were combined, the combination would require a substantial reconstruction and redesign of the elements shown in the references as well as a change in the basic principles under which the references were designed to operate. In addition, the combination does not equal Applicant's invention since the references do not include all the claim limitations and benefits, such as a graphical user interface for creating, manipulating and displaying objects of object-oriented software programs, a current activity tool comprising objects for entering data from current financial transactions for recording purposes, a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation, and a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. Nor do the references include the objects comprising account objects, transaction objects, category objects, and template objects, along with other claim limitations as discussed in detail below.

It should also be noted that Maggioncalda teaches away from Applicant's invention. As described in column 18, lines 49 - 52 of the Maggioncalda disclosure, "Advantageously, using this interactive approach, the user is never asked to predict the future with regard to interest rates, inflation, expected portfolio returns, or other difficult to estimate economic variables and parameters." In contradiction with Maggioncalda, FIG.4 of Applicant's disclosure provides for the user entering system defaults, which include annual inflation rate, investment return rate, life expectancy, etc.

**Issue 1: Whether Claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 are obvious under 35 U.S.C. § 103 (a) as being anticipated by Maggioncalda et al. (U.S. Patent No. 5,918,217)**

The Office has failed to meet its burden of establishing a *prima facie* case of obviousness under 35 U.S.C. 103 (a) with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 as being anticipated by Maggioncalda et al. The Office bears the initial

burden of establishing a *prima facie* case of obviousness. See *In re Piasecki*, 223 USPQ785, 788 (Fed. Cir. 1984). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 20 USPQ2d 1438 (Fed. Cir. 1991), MPEP §2142 and § 2143. It is shown below that the Office has not met these criteria for establishing a *prima facie* case of obviousness because a suggestion to modify or combine the references has not been cited, there is not an expectation of success if the references were modified or combined, and even if they were modified or combined, they do not teach or suggest Applicant's invention.

Maggioncalda teaches a method for allowing a user to explore how changes in one or more input decisions affect one or more output values in a financial analysis system. The method applies to interactively displaying a group of financial investment products selected by the system, such as bond or stock funds, and a probability of reaching an investment goal based on user input decision of risk, savings rate and retirement age. The system makes use of probability distribution functions to predict the probability of a user obtaining the investment goal by obtaining data from servers over a network. Maggioncalda's patent is only applicable to selecting a group of investments based on user inputs of risk, savings rate and retirement age. In contrast, and as claimed in Applicant's invention, Applicant's method and program enable a user to record past and current transactions involving cash flows between accounts and categories, such as between bank accounts and clothing or utility category expenditures. Applicant's invention also enables a user to allocate anticipated future expenditures, such as the purchase of a home or a new automobile, and compare actual versus anticipated expenditures over time. Applicant's invention enables a user to manage all personal financial transactions, not just provide an investment portfolio recommendation based on risk, savings rate and retirement age as in Maggioncalda. Unlike Maggioncalda's invention, Applicant's invention is network and server independent. Maggioncalda does not disclose the capability of entering past financial transactions, such as found in a checkbook register, or budgeting for anticipated future

expenditures over time. The Maggioncalda invention does not disclose use of object-oriented techniques, nor does it enable a user to define new accounts, categories, transactions, or templates.

First, with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42, the Office has failed to point out any suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings to arrive at Applicant's invention.

Second, with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42, the Office has failed to show a reasonable expectation of success by modifying the reference or by combining the reference teachings. There is no expectation of success that Maggioncalda is able to meet all the limitations disclosed in Applicant's invention. The disclosure of Maggioncalda, requiring networks and servers is not capable of satisfying the features and functions disclosed in Applicant's invention.

Finally, with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42, the Office has failed to cite references that teach or suggest all the claim limitations of Applicant's invention. Applicant has reviewed the Final Office action and the reference cited therein and has discussed each point within this response. The cited reference of Maggioncalda neither teaches nor suggests a personal financial management software program for recording, predicting, and comparing financial data. The reference does not teach all the claim limitation of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42. As just one example, nowhere does the cited reference of Maggioncalda teach a current activity tool comprising objects for entering data from current financial transactions for recording purposes, a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation, or a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. The Applicant therefore believes that the Office has not established a *prima facie* case of obviousness. Despite Applicant's prior diligent response, the Office has failed to point out in the cited reference where the claim limitations discussed herein may be found. Therefore, all claims distinguish over the cited reference. All of the dependent claims incorporate the limitations of their respective independent claims and provide further unique and non-obvious recitations. These claims are therefore patentable over the cited references for the reasons given in support of claims 1, 18, 31 and 34.

With respect to specific claims, independent claim 1 as amended teaches a personal financial management software program for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. The Office has rejected claim 1 citing that Maggioncalda teaches (1) “a personal financial management software program for recording, predicting and comparing financial data, comprising: a graphical user interface (col 2 lines 32-34) for creating, manipulating and displaying objects of object-oriented software programs...” This assertion by the Office is incorrect. First, Maggioncalda discloses a User Interface for a Financial Advisory System, not a Personal Financial Management System. The user interface disclosed in the Financial Advisory System allows a user to input values representing risk, savings rate and retirement age using slider bars, and to view outputs comprising a forecast of success and a recommended set of financial investment products. There is no disclosure in the Financial Advisory System of a user interface for creating, manipulating and displaying objects of object-oriented software programs. Furthermore, while the passage cited by the Office (col 2 lines 32-34) merely states “A user interface for a financial advisory system is described”, it does not disclose a user interface for manipulating and displaying objects of object-oriented software programs, and particularly account objects, category objects, transaction objects and template objects. In further rejecting claim 1, the Office asserts that Maggioncalda teaches (2) “and a current activity tool comprising objects for entering data from current financial transactions for recording purposes (col 2 lines 36-41)...” The Office’s analysis here is flawed. Applicant is unable to find any reference (actual, implied or inherent) to a current activity tool in the Maggioncalda disclosure, much less a disclosure of a current activity tool comprising objects for entering data from current financial transactions for recording purposes. The passage cited by the Office (col 2 lines 36-41) merely states that “a first and second visual indication are concurrently displayed” and that “The first visual indication includes input mechanisms for receiving input decisions and the second visual indication includes a set of output values that are based upon the input decisions and a recommended set of financial products.” This element of claim 1 is



nowhere to be found in the cited reference of Maggioncalda. In rejecting claim 1 further, the Office asserts that Maggioncalda teaches (3) “and a planning analysis tool comprising objects for entering projected financial data for financial activity simulation (col 2 lines 44-47).” This assertion by the Office is also incorrect. Applicant cannot find any disclosure (actual, implied or inherent) of a planning analysis tool in Maggioncalda, much less a disclosure of a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation. The passage cited by the Office (col 2 lines 44-47) merely states that “After updated values for the input decisions are received via the input mechanism, a new recommended set of financial products and a new set of output values may be determined based on the updated values.” Being unable to find disclosure of any elements of claim 1 within this passage, Applicant requests that the Office explain how to interpret or transpose this cited passage as “a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation”. In further rejecting claim 1, the office asserts that Maggioncalda teaches (4) “and a budgeting analysis tool comprising objects for comparing current financial data with projected financial data (col 2 lines 47 - col 3 lines 42).” Like the assertions by the Office discussed above, this assertion is also flawed. This passage cited by the Office is a very general description of decisions relevant to financial goals, investment risk, volatility, probability of achieving a financial goal, evaluation of the cumulative probability distribution, and recommended allocation of wealth among an available set of financial products. Applicant cannot find any disclosure in the cited Maggioncalda reference of a budgeting analysis tool, much less a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. It should also be noted that the amended element of claim 1 (once amended) includes “objects comprising account objects, transaction objects, category objects, and template objects.” This element of claim 1 further distinguishes claim 1 from the disclosure of Maggioncalda, since none of these objects are disclosed in Maggioncalda.

The Office states that Maggioncalda does not specifically teach object oriented software, but that that the functionality employed by Maggioncalda accomplishes the same result as an object oriented system, and that it would have been obvious to one skilled in the art at the time of the invention to utilize software to accomplish recommending a set of financial products based upon inputted financial values. The Office claims that the motivation for this is to present simulations of projected financial data utilizing different financial products. The Office

misunderstands Applicants invention. Applicant's specification neither describes nor claims a method or system for selecting or recommending a set of financial products. As described above and in Applicant's specification, claim 1 encompasses a personal financial management program with a graphical user interface and a set of software tools for entering data from current financial transactions, entering projected financial data, and comparing the current and projected over a time period to evaluate personal financial performance by evaluating cash flows resulting from transactions between accounts and categories. These features are not found in Maggioncalda and the present invention contains no disclosure for selecting financial investment products. Therefore, claim 1 as amended is nonobvious and patentable over Maggioncalda.

Regarding claim 9, since claim 9 is dependent on claim 1, and claim 1 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 9 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as "comprising system interface objects to accept user preference defaults for use by the program tools."

Regarding claim 11, since claim 11 is dependent on claim 1, and claim 1 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 11 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as "comprising a to-do list displayed in the current activity tool for enabling the planning analysis tool to prompt the user to implement projected financial activity."

Regarding claim 12, since claim 12 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be patentable and nonobvious in view of Maggioncalda, claim 12 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as "comprising account data from other financial programs imported into account objects."

Regarding claim 15, since claim 15 is dependent on claim 1, and claim 1 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 15 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as

“wherein the planning analysis tool comprises a financial activity simulation of all objects created by the user, the simulation modeling all financial activity from the earliest past date to the latest future date entered.”

Regarding claim 16, since claim 16 is dependent on claims 1 and 15, and claims 1 and 15 have been shown above to be patentable and nonobvious in view of Maggioncalda, claim 16 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “wherein the financial activity simulation identifies and graphically depicts discrepancies and shortfalls in the modeled transactions.”

Regarding claim 17, since claim 17 is dependent on claims 1 and 15, and claims 1 and 15 have been shown above to be patentable and nonobvious in view of Maggioncalda, claim 17 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “wherein the financial activity simulation is adjusted to eliminate discrepancies and shortfalls, and to provide a more accurate fit with actual financial activity.”

With respect to independent claim 18 as amended, claim 18 teaches a method for recording, predicting, and comparing financial data that includes creating, manipulating, and displaying objects of object-oriented software programs by a graphical user interface, entering data from current financial transactions for recording purposes using objects of a current activity tool, entering projected financial data for simulating financial activity using objects of a planning analysis tool, comparing current financial data with projected financial data using objects of a budgeting analysis tool, and using account objects, transaction objects, category objects, and template objects. The Office has rejected claim 18 citing that Maggioncalda teaches (1) “a method for recording, predicting and comparing financial data using a personal financial management software program, comprising creating, manipulating and displaying objects of object-oriented software programs by a graphical user interface (col 2 lines 32-34)...” This assertion by the Office is incorrect. First, Maggioncalda discloses a User Interface for a Financial Advisory System, not a Personal Financial Management System. The user interface disclosed in the Financial Advisory System allows a user to input values representing risk, savings rate and retirement age using slider bars, and to view outputs comprising a forecast of success and a recommended set of financial investment products. There is no disclosure in the Financial

Advisory System for creating, manipulating and displaying objects of object-oriented software programs by a graphical user interface. Furthermore, while the passage cited by the Office (col 2 lines 32-34) merely states “A user interface for a financial advisory system is described”, it does not disclose a user interface for manipulating and displaying objects of object-oriented software programs, and particularly account objects, category objects, transaction objects and template objects. In further rejecting claim 18, the Office asserts that Maggioncalda teaches (2) “and entering data from current financial transactions for recording purposes using objects of a current activity tool (col 2 lines 36-41)...” The Office’s analysis here is flawed. Applicant is unable to find any reference (actual, implied or inherent) to a current activity tool in the Maggioncalda disclosure, much less a disclosure of entering data from current financial transactions for recording purposes using objects of a current activity tool. The passage cited by the Office (col 2 lines 36-41) merely states that “a first and second visual indication are concurrently displayed” and that “The first visual indication includes input mechanisms for receiving input decisions and the second visual indication includes a set of output values that are based upon the input decisions and a recommended set of financial products.” This element of claim 18 is nowhere to be found in the cited reference of Maggioncalda. In rejecting claim 18 further, the Office asserts that Maggioncalda teaches (3) “and entering projected financial data for financial activity simulation using objects of a planning analysis tool (col 2 lines 44-47)...” This assertion by the Office is also incorrect. Applicant cannot find any disclosure (actual, implied or inherent) of a planning analysis tool in Maggioncalda, much less a disclosure of a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation. The passage cited by the Office (col 2 lines 44-47) merely states that “After updated values for the input decisions are received via the input mechanism, a new recommended set of financial products and a new set of output values may be determined based on the updated values.” Being unable to find disclosure of any elements of claim 18 within this passage, Applicant requests that the Office explain how to interpret or transpose this cited passage as “entering projected financial data for simulating financial activity using objects of a planning analysis tool”. In further rejecting claim 18, the office asserts that Maggioncalda teaches (4) “and comparing current financial data with projected financial data using objects of a budgeting analysis tool (col 2 lines 47 - col 3 lines 42)(Fig 7a).” Like the assertions by the Office discussed above, this assertion is also flawed. This passage cited by the Office is a very general description of decisions relevant

to financial goals, investment risk, volatility, probability of achieving a financial goal, evaluation of the cumulative probability distribution, and recommended allocation of wealth among an available set of financial products. Applicant cannot find any disclosure in the cited Maggioncalda reference of a budgeting analysis tool, much less comparing current financial data with projected financial data using objects of a budgeting analysis tool. It should also be noted that the amended element of claim 18 (once amended) includes “using account objects, transaction objects, category objects, and template objects.” This element of claim 18 further distinguishes claim 18 from the disclosure of Maggioncalda, since none of these objects are disclosed in Maggioncalda.

The Office states that Maggioncalda does not specifically teach object oriented software, but that the functionality employed by Maggioncalda accomplishes the same result as an object oriented system, and that it would have been obvious to one skilled in the art at the time of the invention to utilize software to accomplish recommending a set of financial products based upon inputted financial values. The Office claims that the motivation for this is to present simulations of projected financial data utilizing different financial products. The Office misunderstands Applicants invention. Applicant’s specification neither describes nor claims a method or system for selecting or recommending a set of financial products. As described above and in Applicant’s specification, claim 18 encompasses a personal financial management method that comprises entering data from current financial transactions using a graphical user interface and a set of software tools, entering projected financial data, and comparing the current and projected over a time period to evaluate personal financial performance by evaluating cash flows resulting from transactions between accounts and categories. These features are not found in Maggioncalda and the present invention contains no disclosure for selecting financial investment products. Therefore, claim 18 as amended is nonobvious and patentable over Maggioncalda.

Regarding claim 21, since claim 21 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 21 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “accepting user preference defaults by system interface objects for use by the program tools.”

Regarding claim 23, since claim 23 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 23 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “enabling the planning analysis tool to prompt the user to implement projected financial activity by a to-do list displayed in the current activity tool.”

Regarding claim 24, since claim 24 is dependent on claims 18 and 19, and claims 18 and 19 have been shown above to be patentable and nonobvious in view of Maggioncalda, claim 24 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “importing account data from other financial programs into account objects.”

Regarding claim 26, since claim 26 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 26 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “enabling the user to create and incorporate custom objects into the personal financial management software program.”

Regarding claim 27, since claim 27 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 27 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “wherein simulating financial activity comprises simulating financial activity of all objects created by the user from the earliest entered date to the latest future date entered.”

Regarding claim 28, since claim 28 is dependent on claims 18 and 27, and claims 18 and 27 have been shown above to be patentable and nonobvious in view of Maggioncalda, claim 28 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “wherein simulating financial activity further comprises identifying and graphically depicting discrepancies and shortfalls in the simulated transactions.”

Regarding claim 29, since claim 29 is dependent on claims 18 and 27, and claims 18 and 27 have been shown above to be patentable and nonobvious in view of Maggioncalda, claim 29

is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “wherein simulating financial activity further comprises adjusting objects to eliminate discrepancies and shortfalls, and providing a more accurate fit with actual financial activity.”

Regarding claim 30, since claim 30 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 30 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “A computer software program on a computer-readable medium incorporating the method recited in claim 18.”

With respect to independent claim 34 as amended, claim 34 teaches a personal financial management system for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. The Office has rejected claim 34 citing that Maggioncalda teaches (1) “a personal financial management software program for recording, predicting and comparing financial data, comprising: a graphical user interface (col 2 lines 32-34) for creating, manipulating and displaying objects of object-oriented software programs...” This assertion by the Office is incorrect. First, Maggioncalda discloses a User Interface for a Financial Advisory System, not a Personal Financial Management System. The user interface disclosed in the Financial Advisory System allows a user to input values representing risk, savings rate and retirement age using slider bars, and to view outputs comprising a forecast of success and a recommended set of financial investment products. There is no disclosure in the Financial Advisory System of a user interface for creating, manipulating and displaying objects of object-oriented software programs. Furthermore, while the passage cited by the Office (col 2 lines 32-34) merely states “A user interface for a financial advisory system is described”, it does not disclose a user interface for manipulating and displaying objects of object-oriented software

programs, and particularly account objects, category objects, transaction objects and template objects. In further rejecting claim 34, the Office asserts that Maggioncalda teaches (2) “a current activity tool comprising objects for entering data from current financial transactions for recording purposes (col 2 lines 36-41)...” The Office’s analysis here is flawed. Applicant is unable to find any reference (actual, implied or inherent) to a current activity tool in the Maggioncalda disclosure, much less a disclosure of a current activity tool comprising objects for entering data from current financial transactions for recording purposes. The passage cited by the Office (col 2 lines 36-41) merely states that “a first and second visual indication are concurrently displayed” and that “The first visual indication includes input mechanisms for receiving input decisions and the second visual indication includes a set of output values that are based upon the input decisions and a recommended set of financial products.” This element of claim 1 is nowhere to be found in the cited reference of Maggioncalda. In rejecting claim 34 further, the Office asserts that Maggioncalda teaches (3) “a planning analysis tool comprising objects for entering projected financial data for financial activity simulation (col 2 lines 47-col 3 line 2)...” This assertion by the Office is also incorrect. Applicant cannot find any disclosure (actual, implied or inherent) of a planning analysis tool in Maggioncalda, much less a disclosure of a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation. The passage cited by the Office (col 2 lines 47-col 3 line 2) merely states that “After updated values for the input decisions are received via the input mechanism, a new recommended set of financial products and a new set of output values may be determined based on the updated values” and provides a very general description of decisions relevant to financial goals, investment risk, volatility, probability of achieving a financial goal, evaluation of the cumulative probability distribution, and recommended allocation of wealth among an available set of financial products. Being unable to find disclosure of any elements of claim 34 within this passage, Applicant requests that the Office explain how to interpret or transpose this cited passage as “a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation”. In further rejecting claim 34, the office asserts that Maggioncalda teaches (4) “and a budgeting analysis tool comprising objects for comparing current financial data with projected financial data (col 2 lines 47 - col 3 lines 42).” Like the assertions by the Office discussed above, this assertion is also flawed. This passage cited by the Office is a very general description of decisions relevant to financial goals, investment risk, volatility, probability



of achieving a financial goal, evaluation of the cumulative probability distribution, and recommended allocation of wealth among an available set of financial products. Applicant cannot find any disclosure in the cited Maggioncalda reference of a budgeting analysis tool, much less a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. It should also be noted that the amended element of claim 34 (once amended) includes “objects comprising account objects, transaction objects, category objects, and template objects.” This element of claim 34 further distinguishes claim 34 from the disclosure of Maggioncalda, since none of these objects are disclosed in Maggioncalda.

The Office states that Maggioncalda does not specifically teach object oriented software, but that the functionality employed by Maggioncalda accomplishes the same result as an object oriented system, and that it would have been obvious to one skilled in the art at the time of the invention to utilize software to accomplish recommending a set of financial products based upon inputted financial values. The Office claims that the motivation for this is to present simulations of projected financial data utilizing different financial products. The Office misunderstands Applicants invention. Applicant’s specification neither describes nor claims a method or system for selecting or recommending a set of financial products. As described above and in Applicant’s specification, claim 34 encompasses a personal financial management program with a graphical user interface and a set of software tools for entering data from current financial transactions, entering projected financial data, and comparing the current and projected over a time period to evaluate personal financial performance by evaluating cash flows resulting from transactions between accounts and categories. These features are not found in Maggioncalda and the present invention contains no disclosure for selecting financial investment products. Therefore, claim 34 as amended is nonobvious and patentable over Maggioncalda.

Regarding claim 36, since claim 36 is dependent on claim 34, and claim 34 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 36 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “comprising system interface objects to accept user preference defaults for use by the program tools.”

Regarding claim 38, since claim 38 is dependent on claim 34, and claim 34 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 38 is also

patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “a to-do list displayed in the current activity tool for enabling the planning analysis tool to prompt the user to implement projected financial activity.”

Regarding claim 42, since claim 42 is dependent on claim 34, and claim 34 has been shown above to be patentable and nonobvious in view of Maggioncalda, claim 42 is also patentable and nonobvious in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as “wherein the planning analysis tool comprises a financial activity simulation of all objects created by the user, the simulation modeling all financial activity from the earliest past date to the latest future date entered.”

In summary, the responses detailed above rebut the assertions by the Office of the obviousness of Applicant’s invention, and substantiate the patentability and nonobviousness of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 as being patentable over Maggioncalda et al.

**Issue 2: Whether Claims 3, 5-8, and 20 are obvious under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Leon et al. (U.S. Patent No. 6,052,673) and further in view of Minton (U.S. Patent No. 6,014,643)**

The Office has failed to meet its burden of establishing a *prima facie* case of obviousness under 35 U.S.C. 103 (a) with regard to the rejection of claims 3, 5-8, and 20 as being anticipated by Maggioncalda et al. in view of Leon et al. and further in view of Minton. The Office bears the initial burden of establishing a *prima facie* case of obviousness. See *In re Piasecki*, 223 USPQ785, 788 (Fed. Cir. 1984). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on

applicant's disclosure. *In re Vaeck*, 20 USPQ2d 1438 (Fed. Cir. 1991), MPEP §2142 and § 2143. It is shown below that the Office has not met these criteria for establishing a *prima facie* case of obviousness because a suggestion to modify or combine the references has not been cited, there is not an expectation of success if the references were modified or combined, and even if they were modified or combined, they do not teach or suggest Applicant's invention.

Maggioncalda teaches a method for allowing a user to explore how changes in one or more input decisions affect one or more output values in a financial analysis system. The method applies to interactively displaying a group of financial investment products selected by the system, such as bond or stock funds, and a probability of reaching an investment goal based on user input decision of risk, savings rate and retirement age. The system makes use of probability distribution functions to predict the probability of a user obtaining the investment goal by obtaining data from servers over a network. Maggioncalda's patent is only applicable to selecting a group of investments based on user inputs of risk, savings rate and retirement age. Leon discloses a commercial data processing service provider application for matching inflation-adjusted deposit and loan accounts in one or more financial institutions to improve the capital structure of the institutions. It is desirable to match loan accounts with deposit accounts with similar intrinsic cash flow characteristics to maintain a positive cash flow condition for the financial institutions. The invention also involves adjusting the amount of loans and deposits for the rate of inflation, paying the deposit accounts, receiving repayment of the loan accounts. Minton discloses a securities trading system that enables a first individual to offer to sell securities over a public communications network connected to servers, and enables a second individual to accept the offer, pay for the securities, and obtain title to the securities. This invention enables individuals to buy and sell securities to other individuals, and become market makers. The system requires a plurality of servers and a public communications network. In contrast, and as claimed in Applicant's invention, Applicant's method and program enable a user to record past and current transactions involving cash flows between accounts and categories, such as between bank accounts and clothing or utility category expenditures. Applicant's invention also enables a user to allocate anticipated future expenditures, such as the purchase of a home or a new automobile, and compare actual versus anticipated expenditures over time. Applicant's invention enables a user to manage all personal financial transactions, not just provide an investment portfolio recommendation based on risk, savings rate and retirement age

as in Maggioncalda. Unlike the invention of Maggioncalda and Minton, Applicant's invention is network and server independent. Neither Maggioncalda, Minton nor Leon disclose the capability of entering past financial transactions, such as found in a checkbook register, or budgeting for anticipated future expenditures over time. None of the cited references disclose use of object-oriented techniques, nor do they enable a user to define new accounts, categories, transactions, or templates.

First, with regard to the rejection of claims 3, 5-8, and 20, the Office has failed to point out any suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings to arrive at Applicant's invention.

Second, with regard to the rejection of claims 3, 5-8, and 20, the Office has failed to show a reasonable expectation of success by modifying the reference or by combining the reference teachings. There is no expectation of success that the combination of Maggioncalda, Leon, or Minton are able to meet all the limitations disclosed in Applicant's invention. The disclosure of Maggioncalda and Minton, requiring networks and servers is not capable of satisfying the features and functions disclosed in Applicant's invention. Nor does the Leon disclosure of balancing variable interest rates between loans and deposits satisfying the features and functions disclosed in Applicant's invention.

Finally, with regard to the rejection of claims 3, 5-8, and 20, the Office has failed to cite references that teach or suggest all the claim limitations of Applicant's invention. Applicant has reviewed the Final Office action and the references cited therein, and has discussed each point within this response. The cited references of Maggioncalda, Leon and Minton neither teach nor suggest a personal financial management software program for recording, predicting, and comparing financial data. The references do not teach all the claim limitation of claims 3, 5-8, and 20. As just one example, nowhere does the cited references of Maggioncalda, Leon and Minton teach a current activity tool comprising objects for entering data from current financial transactions for recording purposes, a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation, or a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. The Applicant therefore believes that the Office has not established a *prima facie* case of obviousness. Despite Applicant's diligent prior response, the Office has failed to point out in the

cited reference where the claim limitations discussed herein may be found. Therefore, all claims distinguish over the cited reference. All of the dependent claims incorporate the limitations of their respective independent claims and provide further unique and non-obvious recitations. These claims are therefore patentable over the cited references for the reasons given in support of claims 1 and 18.

With respect to specific claims, independent claim 1 as amended teaches a personal financial management software program for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. Claim 2, which is dependent upon claim 1, further narrows claim 1 by specifying that each object is derived from an object class selected from the group consisting of an account class, a transaction class, a category class, and a template class. Claim 3, which depends upon claims 1 and 2, further narrows claim 2 by specifying that the account class comprises objects selected from the group consisting of bank account objects, credit account objects, investment account objects, loan account objects, and mortgage account objects. Claim 3 is dependent on claims 1 and 2, and Claim 1 has been shown above to be patentable and nonobvious in view of Maggioncalda. The Office has made no assertions that there are any disclosures in Leon and Minton, when combined with Maggioncalda that would invalidate any elements of claims 1 and 2. After a diligent review, Applicant has been unable to find any of the elements of claims 1 and 2 in any of the references cited by the Office. Therefore claims 1 and 2 are nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton.

Regarding claim 3, since claim 3 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton, claim 3 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Minton teaches an investment management data processing system that is only useful for large financial institutions that have many variable

interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as “wherein the account class comprises objects selected from the group consisting of bank account objects, credit account objects, investment account objects, loan account objects, and mortgage account objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 5, since claim 5 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton, claim 5 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Minton teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as “wherein the category class comprises an expense category class and an income category class.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 6, since claim 6 is dependent on claims 1, 2 and 5, and claims 1, 2 and 5 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton, claim 6 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Minton teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as “wherein the expense category class comprises objects selected from the group consisting of subsistence expense objects, health expense objects, recreation expense objects, transportation expense objects, tax objects, and luxury expense objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references.

However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

Regarding claim 7, since claim 7 is dependent on claims 1, 2 and 5, and claims 1, 2 and 5 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton, claim 7 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Minton teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "wherein the income category class comprises objects selected from the group consisting of investment income objects, retirement income objects, and labor income objects." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

Regarding claim 8, since claim 8 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton, claim 8 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Minton teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "wherein the template class comprises objects selected from the group consisting of scheduled spending template objects, scheduled income template objects, and loan payment template objects." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

With respect to claim 20, independent claim 18 as amended teaches a personal financial management software method for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented

software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. Claim 19, which is dependent upon claim 18, further narrows claim 18 by specifying that the objects belong to object classes comprising an account class, a transaction class, a category class, and a template class derived from a time/value class. Claim 20, which depends upon claims 18 and 19, further narrows claim 19 by specifying that the category class comprises an expense category class and an income category class. Claim 20 is dependent on claims 18 and 19, and claim 18 has been shown above to be patentable and nonobvious in view of Maggioncalda. The Office has made no assertions that there are any disclosures in Leon and Minton, when combined with Maggioncalda that would invalidate any elements of claims 18 and 19. After a diligent review, Applicant has been unable to find any of the elements of claims 18 and 19 in any of the references cited by the Office. Therefore claims 18 and 19 are nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton.

Regarding claim 20, since claim 20 is dependent on claims 18 and 19, and claims 18 and 19 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton, claim 20 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Minton teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "the category class comprises an expense category class and an income category class." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

In summary, the responses detailed above rebut the assertions by the Office of the obviousness of Applicant's invention, and substantiate the patentability and nonobviousness of



claims 3, 5-8, and 20 as being patentable over Maggioncalda in view of Leon and further in view of Minton.

**Issue 3: Whether Claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 are obvious under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Minton (U.S. Patent No. 6,014,643)**

The Office has failed to meet its burden of establishing a *prima facie* case of obviousness under 35 U.S.C. 103 (a) with regard to the rejection of claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 as being anticipated by Maggioncalda et al. in view of Minton. The Office bears the initial burden of establishing a *prima facie* case of obviousness. See *In re Piasecki*, 223 USPQ785, 788 (Fed. Cir. 1984). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 20 USPQ2d 1438 (Fed. Cir. 1991), MPEP §2142 and § 2143. It is shown below that the Office has not met these criteria for establishing a *prima facie* case of obviousness because a suggestion to modify or combine the references has not been cited, there is not an expectation of success if the references were modified or combined, and even if they were modified or combined, they do not teach or suggest Applicant's invention.

Maggioncalda teaches a method for allowing a user to explore how changes in one or more input decisions affect one or more output values in a financial analysis system. The method applies to interactively displaying a group of financial investment products selected by the system, such as bond or stock funds, and a probability of reaching an investment goal based on user input decision of risk, savings rate and retirement age. The system makes use of probability distribution functions to predict the probability of a user obtaining the investment goal by obtaining data from servers over a network. Maggioncalda's patent is only applicable to selecting a group of investments based on user inputs of risk, savings rate and retirement age. Minton discloses a securities trading system that enables a first individual to offer to sell securities over a

public communications network connected to servers, and enables a second individual to accept the offer, pay for the securities, and obtain title to the securities. This invention enables individuals to buy and sell securities to other individuals, and become market makers. The system requires a plurality of servers and a public communications network. In contrast, and as claimed in Applicant's invention, Applicant's method and program enable a user to record past and current transactions involving cash flows between accounts and categories, such as between bank accounts and clothing or utility category expenditures. Applicant's invention also enables a user to allocate anticipated future expenditures, such as the purchase of a home or a new automobile, and compare actual versus anticipated expenditures over time. Applicant's invention enables a user to manage all personal financial transactions, not just provide an investment portfolio recommendation based on risk, savings rate and retirement age as in Maggioncalda. Unlike the invention of Maggioncalda and Minton, Applicant's invention is network and server independent. Neither Maggioncalda nor Minton disclose the capability of entering past financial transactions, such as found in a checkbook register, or budgeting for anticipated future expenditures over time. None of the cited references disclose use of object-oriented techniques, nor do they enable a user to define new accounts, categories, transactions, or templates.

First, with regard to the rejection of claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41, the Office has failed to point out any suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings to arrive at Applicant's invention.

Second, with regard to the rejection of claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41, the Office has failed to show a reasonable expectation of success by modifying the reference or by combining the reference teachings. There is no expectation of success that the combination of Maggioncalda, Leon, or Minton are able to meet all the limitations disclosed in Applicant's invention. The disclosure of Maggioncalda and Minton, requiring networks and servers is not capable of satisfying the features and functions disclosed in Applicant's invention. Nor does the Leon disclosure of balancing variable interest rates between loans and deposits satisfying the features and functions disclosed in Applicant's invention.

Finally, with regard to the rejection of claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41, the Office has failed to cite references that teach or suggest all the claim limitations of Applicant's invention. Applicant has reviewed the Final Office action and the references cited

therein, and has discussed each point within this response. The cited references of Maggioncalda and Minton neither teach nor suggest a personal financial management software program for recording, predicting, and comparing financial data. The references do not teach all the claim limitation of claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41, As just one example, nowhere does the cited references of Maggioncalda and Minton teach a current activity tool comprising objects for entering data from current financial transactions for recording purposes, a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation, or a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. The Applicant therefore believes that the Office has not established a *prima facie* case of obviousness. Despite Applicant's diligent prior response, the Office has failed to point out in the cited reference where the claim limitations discussed herein may be found. Therefore, all claims distinguish over the cited reference. All of the dependent claims incorporate the limitations of their respective independent claims and provide further unique and non-obvious recitations. These claims are therefore patentable over the cited references for the reasons given in support of claims 1, 18, 31, and 34.

With respect to specific claims, independent claim 1 as amended teaches a personal financial management software program for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. The Office has made no assertions that there are any disclosures in Minton, when combined with Maggioncalda that would invalidate any elements of claim 1. After a diligent review, Applicant has been unable to find any of the elements of claim 1 in any of the references cited by the Office. Therefore claim 1 is nonobvious and patentable over Maggioncalda in view of Minton.

Regarding claim 2, since claim 2 is dependent on claim 1, and claim 1 has been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 2 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton

teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “wherein each object is derived from an object class selected from the group consisting of an account class, a transaction class, a category class, and a template class.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 4, since claim 4 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 4 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “wherein the transaction class comprises objects selected from the group consisting of account/account transaction objects, account/category transaction objects, account/transaction transaction objects, category/transaction transaction objects, and close account transaction objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 10, since claim 10 is dependent on claim 1, and claim 1 has been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 10 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the

passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising cash objects used by transaction objects for tracking cash flows.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 13, since claim 13 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 13 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising category data from other financial programs imported into category objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 14, since claim 14 is dependent on claim 1, and claim 1 has been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 14 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising a programming means for enabling the user to create and incorporate a custom object wherein each custom object is derived from an object class selected from the group consisting of an account class, a transaction class, a category class, and a template class.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

With respect to claim 19, independent claim 18 as amended teaches a personal financial management software method for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. Claim 19, which is dependent upon claim 18, further narrows claim 18 by specifying that the objects belong to object classes comprising an account class, a transaction class, a category class, and a template class derived from a time/value class. Claim 19 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious in view of Maggioncalda. The Office has made no assertions that there are any disclosures in Minton, when combined with Maggioncalda that would invalidate any elements of claim 18. After a diligent review, Applicant has been unable to find any of the elements of claim 18 in any of the references cited by the Office. Therefore claim 18 is nonobvious and patentable over Maggioncalda in view of Minton.

Regarding claim 19, since claim 19 is dependent on claim 18, and claim 18 has been shown above to be nonobvious and patentable over Maggioncalda in view of Minton, claim 19 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “wherein the objects belong to object classes comprising an account class, a transaction class, a category class, and a template class derived from a time/value class.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 22, since claim 22 is dependent on claim 18, and claim 18 has been shown above to be nonobvious and patentable over Maggioncalda in view of Minton, claim 22 is

also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising tracking cash flows by cash objects used by transaction objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 25, since claim 25 is dependent on claims 18 and 19, and claims 18 and 19 have been shown above to be nonobvious and patentable over Maggioncalda in view of Minton, claim 25 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising importing category data from other financial programs into category objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

With respect to claim 31, independent claim 31 as teaches a personal financial management software method that comprises the steps of creating, manipulating, and displaying object-oriented software objects, entering data from past, current and projected financial transactions into the various objects, defining objects belonging to a template class, simulating financial activity, tracking cash flows, identifying and graphically depicting discrepancies and shortfalls, comparing current and projected financial data, adjusting data to eliminate and minimize discrepancies and shortfalls, and displaying a to-do list. The Office has rejected claim 31 citing that (1) Maggioncalda teaches “a computer-implemented method for personal financial management, comprising the steps of creating, manipulating, and displaying objects of object-

oriented software programs by a graphical user interface (col 2 lines 32-34).” This assertion by the Office is incorrect. First, Maggioncalda discloses a User Interface for a Financial Advisory System, not a Personal Financial Management System. The user interface disclosed in the Financial Advisory System allows a user to input values representing risk, savings rate and retirement age using slider bars, and to view outputs comprising a forecast of success and a recommended set of financial investment products. There is no disclosure in the Financial Advisory System of a user interface for creating, manipulating and displaying objects of object-oriented software programs. Furthermore, while the passage cited by the Office (col 2 lines 32-34) merely states “A user interface for a financial advisory system is described”, it does not disclose a user interface for manipulating and displaying objects of object-oriented software programs, and particularly account objects, category objects, transaction objects and template objects. In further rejecting claim 31, the Office asserts that (2) Minton teaches “entering data into objects belonging to an account class (Fig 7/718), a category class (Fig 7/726/718), and a transaction class (Fig 4/418/426) based on past, current, and projected financial transactions...” The Office’s analysis here is flawed. The field (Fig 7/718) identifies the security that is being traded in the Minton invention, not an account class as disclosed in Applicant’s invention. The field (Fig 7/726/718) identifies a Long Position Lot Selection (726) and security identification (718) in the Minton invention, not a category class as disclosed in Applicant’s invention. The field (Fig 4/418/426) identifies buttons to activate buy or sell orders in the Minton invention, not a transaction class as disclosed in Applicant’s invention. Applicant is unable to find any reference (actual, implied or inherent) to an account class, a category class or a transaction class in the Minton disclosure, much less a disclosure of entering data into objects belonging to an account class, a category class or a transaction class in the Minton disclosure. In rejecting claim 31 further, the Office asserts that (3) Minton teaches “defining objects belonging to a template class that associate common activities to a financial transaction comprising objects of an account class (Fig 7/718), a category class (Fig 7/726/718), and a transaction class (Fig 4/418/426)...” This assertion by the Office is also a misrepresentation. As described above, the field (Fig 7/718) identifies the security that is being traded in the Minton invention, the field (Fig 7/726/718) identifies a Long Position Lot Selection and security identification in the Minton invention, and the field (Fig 4/418/426) identifies buttons to activate buy or sell orders in the Minton invention. Applicant cannot find any disclosure (actual, implied or inherent) of these transactions in



Minton, much less a disclosure of defining objects belonging to a template class that associate common activities to a financial transaction comprising objects of an account class, a category class, and a transaction class. In further rejecting claim 31, the Office asserts that (4) Minton teaches (4) “simulating financial activity due to all objects representing financial transactions from the earliest past date to the latest future date entered (col 18 lines 26-38).” Like the assertions by the Office discussed above, this assertion is also flawed. First, there is no “col 18” in the Minton disclosure. Second, Applicant cannot find any disclosure in the cited Minton reference of simulating financial activity due to all objects representing financial transactions from the earliest past date to the latest future date entered. In further rejecting claim 31, the Office asserts that (5) Minton teaches tracking cash flows by use of cash objects (Fig 12). Applicant is unable to find a disclosure of tracking cash flows in Fig 12 or anywhere else in the Minton disclosure, much less a disclosure of tracking cash flows by use of cash objects. In further rejecting claim 31, the Office asserts that (6) Maggioncalda teaches identifying and graphically depicting discrepancies and shortfalls in the simulated transactions (col 9 lines 1-7)(Fig 7a/715/720/710/705). The Office has a lack understanding of Maggioncalda and Applicant’s invention. The passage found in col 9, lines 1-7 of Maggioncalda merely discusses output values that may include the cumulative probability of reaching a goal, the likely value of a portfolio at some future time, and various other statistics. Neither this passage nor any other passage found in Maggioncalda discloses Applicant’s claim element “identifying and graphically depicting discrepancies and shortfalls in the simulated transactions”. The fields (Fig 7a/715/720/710/705) relate to a description of the probability distribution function disclosed in Maggioncalda. There is no disclosure in Applicants invention of the use of probability distribution functions to predict goal achievement or portfolio value. The Office further rejects claim 31 and asserts that (7) Maggioncalda teaches comparing current financial data with projected financial data based on objects representing financial transactions. Contrary to this assertion, the Office has cited no portion of Maggioncalda to support this position, and Applicant is unable to find any disclosure in Maggioncalda that supports this rejection. The Office asserts that (8) Maggioncalda teaches adjusting object data to eliminate and minimize discrepancies and shortfalls, and to provide a more accurate fit with actual financial activity (col 41 lines 15-48). First, there is no “col 41” in the Maggioncalda disclosure. Second, Applicant cannot find any disclosure in the cited Maggioncalda reference of adjusting object data to eliminate and

minimize discrepancies and shortfalls, and to provide a more accurate fit with actual financial activity. The Office also asserts that (9) Maggioncalda teaches displaying a to-do list for prompting the user to initiate planned actions (col 17 lines 3-33). Contrary to this assertion by the Office, the cited passage discusses the operation of Maggioncalda's portfolio optimization module for modifying a set of financial products under user constraints for users having different utility functions. There is no disclosure of any elements of Applicant's claim 31 in this cited passage. Applicant requests that the Office explain how anything in the cited passage of Maggioncalda may be interpreted as "displaying a to-do list for prompting the user to initiate planned actions".

The Office states that it would have been obvious to one skilled in the art at the time of the invention to combine Maggioncalda in view of Minton to equal Applicant's claim 31. The Office claims that the motivation for this is to teach a financial management software program that has different object classes. The Office misunderstands Applicants invention. Applicant's specification neither describes or claims a method or system for selecting or recommending a set of financial products, nor does it describe or claim a system for providing security transactions between individuals. As described above and in Applicant's specification, claim 31 encompasses a personal financial management software method that comprises the steps of creating, manipulating, and displaying object-oriented software objects, entering data from past, current and projected financial transactions into the various objects, defining objects belonging to a template class, simulating financial activity, tracking cash flows, identifying and graphically depicting discrepancies and shortfalls, comparing current and projected financial data, adjusting data to eliminate and minimize discrepancies and shortfalls, and displaying a to-do list. These features are not found in Maggioncalda and Minton and the present invention contains no disclosure for selecting financial investment products or trading securities over a public communication network connected to servers. The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention. Therefore, claim 31 is nonobvious and patentable over Maggioncalda in view of Minton.

Regarding claim 32, since claim 32 is dependent on claim 31, and claim 31 has been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 32 is

also nonobvious and patentable over Maggioncalda in view of Minton. Therefore, the assertion by the Office that Maggioncalda teaches a computer software program contained on a computer-readable medium incorporating the method recited in claim 31 (col 6 lines 28-62) is incorrect. The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention. Therefore, claim 32 is nonobvious and patentable over Maggioncalda in view of Minton.

Regarding claim 33, since claim 33 is dependent on claim 31, and claim 31 has been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 33 is also nonobvious and patentable over Maggioncalda in view of Minton. Therefore, the assertion by the Office that Maggioncalda teaches a computer programmed to perform the steps in the computer-implemented method as recited in claim 31 (Fig 1) is incorrect. The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention. Therefore, claim 33 is nonobvious and patentable over Maggioncalda in view of Minton.

With respect to claim 35 which depends on claim 34, independent claim 34 as amended teaches a personal financial management system for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. The Office has made no assertions that there are any disclosures in Minton, when combined with Maggioncalda that would invalidate any elements of claim 34. After a diligent review, Applicant has been unable to find any of the elements of claim 34 in any of the references cited by the Office. Therefore claim 34 is nonobvious and patentable over Maggioncalda in view of Minton.

Regarding claim 35, since claim 35 is dependent on claim 34, and claim 34 has been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 35 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the

Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the fields cited by the Office or anywhere else in Minton that could be interpreted as “wherein the objects belong to object classes comprising an account class, a transaction class, a category class, and a template class derived from a time/value class.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 37, since claim 37 is dependent on claim 34, and claim 34 has been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 37 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the fields cited by the Office or anywhere else in Minton that could be interpreted as “further comprising cash objects used by transaction objects for tracking cash flows.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 39, since claim 39 is dependent on claims 34 and 35, and claims 34 and 35 have been shown above to be nonobvious and patentable over Maggioncalda in view Minton, claim 39 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising account data from other financial programs imported into

account objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 40, since claim 40 is dependent on claims 34 and 35, and claims 34 and 35 have been shown above to be nonobvious and patentable over Maggioncalda in view of Minton, claim 40 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising category data from other financial programs imported into category objects.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

Regarding claim 41, since claim 41 is dependent on claim 34, and claim 34 has been shown above to be nonobvious and patentable over Maggioncalda in view of Minton, claim 41 is also nonobvious and patentable over Maggioncalda in view of Minton. The assertion by the Office that Minton teaches a personal financial management software program is incorrect. Minton teaches an interactive securities trading system that enables individuals to buy and sell securities to each other over public communications networks connected to servers, with minimal requirements for an intervening broker. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Minton that could be interpreted as “further comprising a programming means for enabling the user to create and incorporate custom objects into the personal financial management software program.” The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant’s invention.

In summary, the responses detailed above rebut the assertions by the Office of the obviousness of Applicant’s invention, and substantiate the patentability and nonobviousness of

claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 as being patentable over Maggioncalda in view of Minton.

**SUMMARY**

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Douglas D. Russell, Applicants' Attorney at 512-338-4601 so that such issues may be resolved as expeditiously as possible. For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. Reconsideration and further examination is respectfully requested.

Respectfully Submitted,

December 10, 2001  
Date

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VERSION WITH MARKINGS TO SHOW CHANGES MADEIn the claims:

Please rewrite claim 1 as follows:

1. (once amended) A personal financial management software program for recording, predicting, and comparing financial data, comprising:
  - a graphical user interface for creating, manipulating and displaying objects of object-oriented software programs;
  - a current activity tool comprising objects for entering data from current financial transactions for recording purposes;
  - a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation; [and]
  - a budgeting analysis tool comprising objects for comparing current financial data with projected financial data; andthe objects including account objects, transaction objects, category objects, and template objects.

Please rewrite claim 18 as follows:

18. (once amended) A method for recording, predicting, and comparing financial data using a personal financial management software program, comprising:
  - creating, manipulating, and displaying objects of object-oriented software programs by a graphical user interface;
  - entering data from current financial transactions for recording purposes using objects of a current activity tool;
  - entering projected financial data for simulating financial activity using objects of a planning analysis tool; [and]
  - comparing current financial data with projected financial data using objects of a budgeting analysis tool; andusing account objects, transaction objects, category objects, and template objects.

Please rewrite claim 34 as follows:

34. (once amended) A personal financial management system for recording, predicting, and comparing financial data, comprising:

- a graphical user interface for creating, manipulating and displaying objects of object-oriented software programs;
  - a current activity tool comprising objects for entering data from current financial transactions for recording purposes;
  - a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation; [and]
  - a budgeting analysis tool comprising objects for comparing current financial data with projected financial data; and
- the objects including account objects, transaction objects, category objects, and template objects.